



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (12/31/00)

Agency: Office of the Insurance Commissioner

- ☐ Permanent Rule
☒ Emergency Rule
☐ Expedited Repeal

(1) Date of adoption: June 29, 2001

(2) Purpose: Extending the effective date of rules adopted under R 2000-03 regarding contraceptive benefits.

Insurance Commissioner Matter NO. R 2001-05

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 284-43-824

Suspended:

(4) Statutory authority for adoption: RCW 48.02.060, 48.20.450, 48.20.460, 48.30.010, 48.30.300, 48.44.020, 48.44.050, 48.46.200, 48.46.243

Other Authority: RCW 48.43.023, 48.43.041, 48.46.066

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR _____ on _____ (date).

Describe any changes other than editing from proposed to adopted version:

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

X (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: The emergency is an extension of a prior emergency rule (R2001-01) delaying the effective date in WAC 284-43-824. The previous emergency rule delayed the implementation date of an earlier rule-making (R2000-03) until January 1, 2002. This filing continues that process and effective date. The Commissioner has filed a CR-101 (R2001-02) and is actively undertaking the appropriate procedures to adopt permanent changes to the rules adopted in the R2000-03 rulemaking. Interested parties asserted that the promulgation of rules adopted under R2000-03 may have had deficiencies in complying with the Administrative Procedures Act (Chapter 34.05 RCW) process. The Commissioner required a period of time to review these assertions and take action, as needed. Although the R2000-03 rules do not take effect until July 1, 2001, health carriers have indicated that they require several months to make the necessary health plan modifications before new products can be offered. The existing effective date did not provide enough time for the Commissioner's review in synchronization with carriers' preparation needs. Continuing to extension of the effective date to January 1, 2002 will provide adequate time for both activities.

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

☐ Yes ☒ No If Yes, explain:

(6) Effective date of rule:

CODE REVISER USE ONLY

Permanent Rules

Emergency Rules

or Expedited Repeal

- ☐ 31 days after filing ☒ Immediately
☐ Other (specify) _____ ☐ Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

Mike Kreidler

Signature

Title

Insurance Commissioner

Date

June 29, 2001

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 01-03-035, filed 1/09/01)

WAC 284-43-824 Effective date. WAC 284-43-821 and 283-43-823 are effective for plans offered, issued, or renewed on or after ((~~July 1, 2001~~)) January 1, 2002.